

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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XIAOJ ZHENG,

Plaintiff,

-v-

CROMEX, INC. and MEIXI XU,

Defendants.
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17 Civ. 168 (PAE)

ORDER

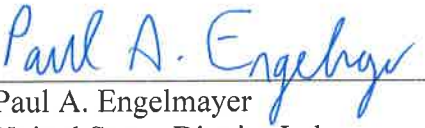
PAUL A. ENGELMAYER, District Judge:

Joseph F. Tremiti, on behalf of Tremiti LLC, has moved to withdraw as counsel of record on behalf of defendants. Dkt. 39. Tremiti LLC represents that defendants have not paid for legal services and have otherwise failed to communicate with counsel. *See id.* at 3.

The motion is denied. Defense counsel and defendant Meixi Xu personally are ordered to attend the settlement conference scheduled before Judge Pitman on March 7, 2018. Should the parties fail to settle this matter, the Court will thereafter entertain a renewed motion to withdraw. The Court would expect, at that time, to direct defendants to find new local counsel to appear formally on their behalf, as “a layperson may not represent a separate legal entity such as a corporation,” *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007). If new counsel were to fail to appear on behalf of defendants as of the date when existing counsel were authorized to withdraw, the Court would thereafter entertain a motion for default.

Tremiti LLC is directed to serve a copy of this Order on defendants forthwith. Upon the completion of service, Tremiti LLC shall file a sworn declaration or affidavit on ECF attesting that service was made and specifying the dates and means of such service.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: February 26, 2018
New York, New York